

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RICKY TANQUARY,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security
Administration,

Defendant.

No. 1:14-CV-03145-RHW

**ORDER DENYING MOTION TO
EXTEND DEADLINES AND
REMANDING CASE**

Before the Court is Defendant's Motion for Extension of Time, ECF No. 13, and the parties' Stipulated Motion to Remand, ECF No. 15. The motions were heard without oral argument. Attorney D. James Tree represents Plaintiff and Special Assistant United States Attorney Sarah L. Martin represents Defendant.

Jointly, the parties move the Court to remand this case for further proceedings in front of the Administrative Law Judge ("ALJ"). ECF No. 15. Based on this stipulation, the Court finds that the Commissioner's decision in regard to Plaintiff's application for supplemental security income under Title XVI of the Social Security Act must be REVERSED and REMANDED for further proceedings and a new decision. On remand, the ALJ will further evaluate the severity of Plaintiff's mental impairments; further evaluate the opinions of Dr.

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1 Schultz, Dr. Pellicer, and Mr. Clark; further evaluate Plaintiff's credibility; further
2 evaluate Plaintiff's residual functional capacity; and if warranted, obtain
3 supplemental vocational expert testimony.

4 The Court hereby reverses the Commissioner's decision under sentence four
5 of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further
6 proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

7 Due to the Court's order remanding the case, Defendant's motion to extend
8 the deadline to file the responsive motion is denied as moot.

9 Accordingly, **IT IS HEREBY ORDERED:**

10 1. Defendant's Motion for Extension of Time, **ECF No. 13**, is **DENIED** as
11 **moot**.

12 2. The parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**.

13 3. The Commissioner's decision is **REVERSED** and the case is
14 **REMANDED** for further proceedings consistent with this order.

15 4. The Clerk shall enter **JUDGMENT** in favor of **PLAINTFF** and close this
16 file.

17 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
18 Order, forward copies to counsel, and **close the file**.

19 **DATED** this 19th day of May, 2015.

20
21 s/Robert H. Whaley
22 **ROBERT H. WHALEY**
23 Senior United States District Judge
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